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10 SAUCE FACTORY, LTD.

11 UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13

14 KOON CHUN HING KEE SOY &
15 SAUCE FACTORY, LTD., a company
16 organized under the laws of Hong Kong,

17 Plaintiff,

18 v.

19 EASTIMPEX, a California corporation, WELL
20 LUCK CO., INC., a New Jersey corporation,
21 and SUPER LUCK CO., INC. a California
22 corporation; EBJ WHOLESALE
23 CORPORATION, a California corporation;
24 L. A. VICTORY, INC., a California
25 corporation; JOE P. ZHAO, a California
26 resident; AMERICA FOOD INT'L CORP., a
27 California corporation; GIANT UNION
28 COMPANY, INC., a California corporation,

Defendants.

Case No. C 04-4146 MMC

**PERMANENT INJUNCTION AGAINST
DEFENDANTS L.A. VICTORY, INC.,
AND JOE P. ZHAO**

1 Defendants L.A. Victory, Inc., and Joe P. Zhao (also known as Simon Zhao, Simon Zhou, or
2 Joe P. Zhou), their officers, directors, directors, principals, agents, servants, employees, attorneys,
3 successors and assigns, and all those acting in concert or participation with them be, and they hereby
4 are PERMANENTLY RESTRAINED from:


- 5 a) imitating, copying or making unauthorized use of the registered trademark **KOON**
6 **CHUN SAUCE FACTORY and Design** ("Plaintiff's Trademark"), including
7 affixing, applying, or annexing or using Plaintiff's Trademark in connection with
8 any product, any designs, containers, labels, displays, signs, prints, packages,
9 wrappers, receptacles, promotions, or advertisements bearing any simulation,
10 reproduction, counterfeit, copy or colorable imitation of Plaintiff's Trademark or
11 any other false designation of origin, false description or representation, and from
12 causing said products to enter into commerce, or causing or procuring the same to
13 be transported or to be used in commerce, or delivering the same to any carrier to
14 be transported or used in commerce;
- 15 b) manufacturing, producing, distributing, importing, accepting for consignment,
16 shipping, circulating, selling, offering for sale, advertising, promoting or displaying
17 any product bearing any simulation, reproduction, counterfeit, copy or colorable
18 imitation of Plaintiff's Trademark and/or any other trademarks so similar as to be
19 likely to cause confusion, to cause mistake, or to deceive;
- 20 c) using any simulation, reproduction, counterfeit, copy or colorable imitation of
21 Plaintiffs' Trademarks or any terms confusingly similar thereto in connection with
22 the importation, shipment, promotion, advertisement, display, sale, offering for
23 sale, manufacture, production, circulation or distribution of any product;
- 24 d) making any statement or representation or using any false designation of origin or
25 false description (including, without limitation, any letters or symbols), or
26 performing any act, which can or is likely to lead the trade or public, or individual
27 members thereof, to believe that any product manufactured, distributed or sold by
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defendants is in any manner associated or connected with the plaintiff, or is sold, manufactured, licensed, sponsored, approved or authorized by the plaintiff or comes from the same source as plaintiff's goods, and from otherwise competing unfairly with plaintiff and injuring their business reputations;

- e) engaging in any other activity constituting unfair competition with plaintiff, or constituting an infringement of Plaintiff's Trademark, or any of plaintiff's rights in or to use or to exploit said trademark, or constituting any dilution of Plaintiff's Trademarks, reputation or good will;
- f) destroying, buying, selling or otherwise disposing of any merchandise bearing Plaintiff's Trademark which is not manufactured by the plaintiff, and instead delivering the same to plaintiff or to an agent authorized to act on behalf of plaintiff for destruction;
- g) with regard to non-genuine goods, destroying, transferring, secreting or otherwise disposing of any documents, books or records relating to the purchase, sale, importation or shipment of sauces or any merchandise bearing Plaintiff's Trademark or any counterfeit or simulation thereof or any other trademark so similar so as to cause confusion, mistake or deception;
- h) passing off, inducing or enabling others to pass off any counterfeit product or products bearing Plaintiff's Trademark or other trademarks so similar as to cause confusion; and
- i) assisting, aiding or abetting any other person or business entity in engaging in or performing any of the activities referred to herein.

IT IS SO ORDERED.

Dated: March 12, 2007


 MAXINE M. CHESNEY
 United States District Judge